

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DONNIE E. LEWIS,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-07-954-F
)	
MICHAEL J. ASTRUE,)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

ORDER


On August 25, 2008, United States Magistrate Judge Shon T. Erwin issued Findings and Recommendation, wherein he recommended that the Commissioner's decision denying plaintiff's application for disability insurance benefits be reversed and that the case be remanded for further administrative proceedings. Magistrate Judge Erwin therein advised the parties of their right to object to the Findings and Recommendation within 20 days, and further advised the parties that failure to file a timely objection waives the right to appeal from a judgment of the district court based upon the Findings and Recommendation.

To date, no objection to the Findings and Recommendation has been filed, and no request for an extension of time to object has been filed. With no objection being filed by either party within the time prescribed, the court accepts, adopts, and affirms the Findings and Recommendation in its entirety.

Accordingly, the Findings and Recommendation issued by United States Magistrate Judge Shon T. Erwin on August 25, 2008 (doc. no. 20) are **ACCEPTED**, **ADOPTED**, and **AFFIRMED**. The decision of defendant, Michael J. Astrue,

Commissioner of the Social Security Administration, is **REVERSED**, and this matter is **REMANDED** to the defendant for further administrative proceedings pursuant to sentence four of § 205(g) of the Social Security Act, 42 U.S.C. § 405(g). Judgment shall issue forthwith.

DATED September 18, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

07-0954p003(pub).wpd